

1 SENATE JOINT MEMORIAL 57

2 49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

3 INTRODUCED BY

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10 A JOINT MEMORIAL

11 REQUESTING MEMBERS OF THE NEW MEXICO CONGRESSIONAL DELEGATION  
12 TO INTERVENE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON  
13 BEHALF OF THE TOWN OF BERNALILLO AND OTHER POTENTIALLY AFFECTED  
14 AREAS OF THE STATE TO REQUEST A RETURN TO FLOOD INSURANCE RATE  
15 MAPS THAT PREDATE MARCH 2008.

16  
17 WHEREAS, on August 22, 2005, the federal emergency  
18 management agency issued a memorandum to its regional directors  
19 announcing that a committee had been formed to examine current  
20 regulations governing levees preparatory to reevaluating the  
21 national flood insurance program; and

22 WHEREAS, on December 14, 2006, the federal emergency  
23 management agency held a community coordination meeting to  
24 present the results of a countywide flood insurance study and  
25 the preliminary flood insurance rate map for Sandoval county,

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1 which is the county seat for the town of Bernalillo; and

2 WHEREAS, at the December 14, 2006 meeting, the process to  
3 appeal the findings and recommendations of the flood study and  
4 the preliminary flood insurance rate maps was presented; and

5 WHEREAS, on February 7 and March 1, 2008, a notice was  
6 published in the *Albuquerque Journal* announcing the intention  
7 of the federal emergency management agency to raise the base  
8 flood elevations and identifying actions that communities were  
9 required to take in order to remain eligible to participate in  
10 the national flood insurance program; and

11 WHEREAS, the practical effect of the proposed new base  
12 flood elevations and proposed revisions to the flood insurance  
13 rate map for the region would be an expansion of the areas that  
14 qualified as flood plain areas, adding an estimated five  
15 hundred homes to those homes that would be required to obtain  
16 flood insurance; and

17 WHEREAS, in the spring of 2008, homeowners newly affected  
18 by the raised base flood elevations and the revised flood  
19 insurance rate map began receiving notification from the banks  
20 holding their federally insured mortgages, which stated that  
21 the homeowners were now required to obtain flood insurance in  
22 order to comply with requirements of the federal emergency  
23 management agency; and

24 WHEREAS, the premium costs for this flood insurance  
25 reportedly ranged from four hundred dollars (\$400) per year to  
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1 four thousand dollars (\$4,000) per year; and

2 WHEREAS, in the fall of 2008, the regulations governing  
3 the base flood elevations were finalized; and

4 WHEREAS, revisions to base flood elevations and flood rate  
5 insurance maps occurred in large part due to the failure of the  
6 levees and subsequent flooding that occurred in New Orleans  
7 during hurricane Katrina; and

8 WHEREAS, the average elevation in New Orleans is six feet  
9 to twenty feet, and the average rainfall there is more than  
10 five inches per year; and

11 WHEREAS, New Mexico, frequently referred to as an area of  
12 high desert, has an average elevation of more than five  
13 thousand feet, and the average yearly rainfall is less than one  
14 inch; and

15 WHEREAS, base flood elevations and flood rate insurance  
16 maps should reflect the local geography and annual  
17 precipitation common to the region; and

18 WHEREAS, since the date that the regulations raising the  
19 base flood elevations were finalized, the town of Bernalillo  
20 has hosted several meetings facilitating discussion between the  
21 federal emergency management agency, providers of flood  
22 insurance, banks and residents to attempt to ameliorate this  
23 situation, but no resolution of the problem has been achieved;  
24 and

25 WHEREAS, residents of the town of Bernalillo feel that

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1 they have been grossly and negatively affected by the  
2 unanticipated and exorbitant insurance premium cost of flood  
3 insurance, causing some residents to fear that they may lose  
4 their homes; and

5 WHEREAS, other communities in New Mexico are similarly  
6 affected;

7 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE  
8 STATE OF NEW MEXICO that Congressman Martin T. Heinrich,  
9 Congressman Ben R. Lujan, Senator Jeff Bingaman and Senator Tom  
10 Udall of the New Mexico congressional delegation be requested  
11 to intervene with the federal emergency management agency on  
12 behalf of the town of Bernalillo and other potentially affected  
13 areas of the state to request a return to flood insurance rate  
14 maps that predate March 2008; and

15 BE IT FURTHER RESOLVED that copies of this memorial be  
16 transmitted to Congressmen Heinrich and Lujan and Senators  
17 Bingaman and Udall.